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## Architecture Thesis, 2007-Dale Lunan: Virtual Terror Tribunals

Dale Lunan

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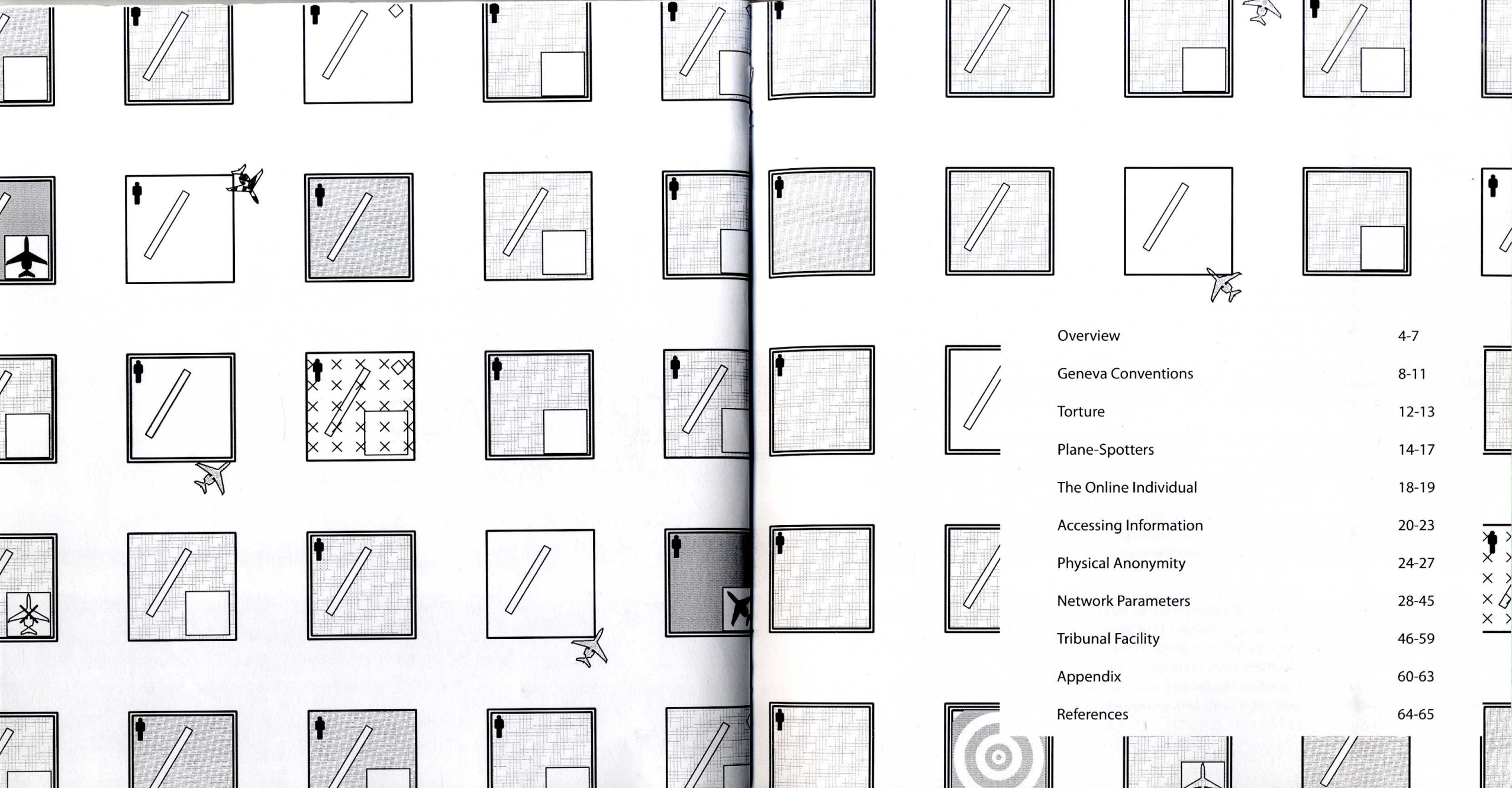
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# VIRTUAL TERROR TRIBUNALS

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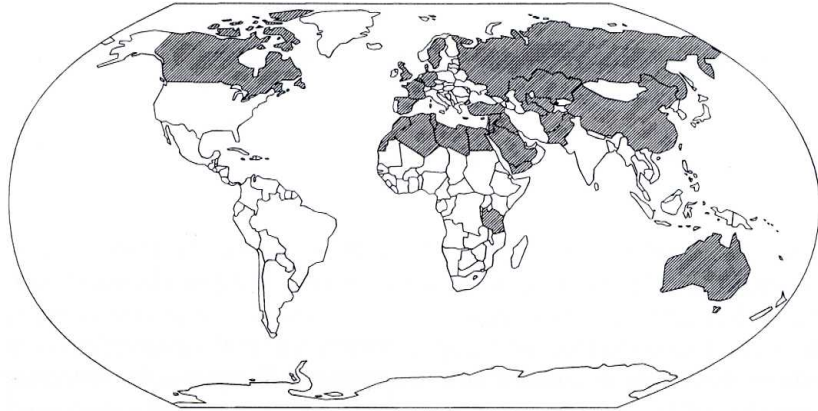
Tribunals determining the identities of captured terror suspects are necessary. The Geneva Conventions of 1949 demand that these tribunals occur as close as possible to the 'theater of operations'<sup>1</sup>. In the War on Terror, the 'theater of operations' can exist anywhere. Therefore, the tribunals must have the capacity to exist anywhere.

Site is restricted by very few parameters. Most importantly, there must be terror suspects for the tribunal program to exist at a given location. Demand for the tribunal inevitably fluctuates at a given site, as new suspects arise and others shift locations. Sites, activated or not, become moments where identity determination and information collection occur. Information gathered at these moments feed into a network primarily concerned with information exchange. This exchange informs consolidation, interpretation, and analysis that aim to understand terror networks, and ultimately undermine them. Suspects found guilty are moved to points in the prison detention network, where additional information can be collected.

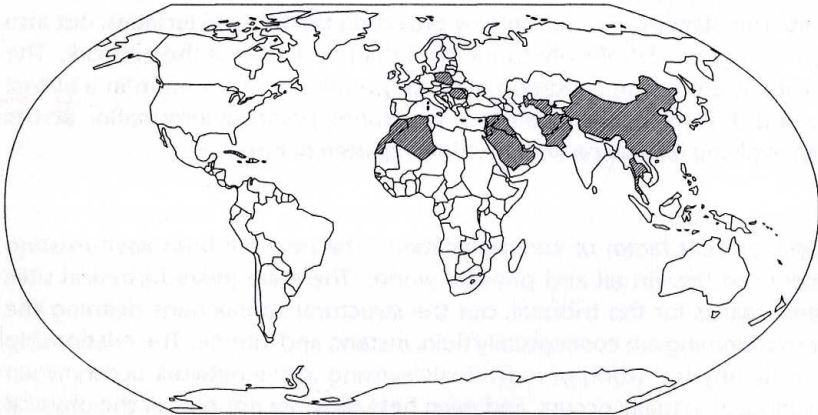
Planes physically move the tribunal facilities to desired sites. Runways, or a suitable groundplane, must be available to allow planes to land/take-off. The planes serve not only by providing the tribunal facilities, but also as the agents definitively connecting the many sites of the network. The plane is a physical condition assuming a role more common in a virtual world. It is the connective agent structuring points of information across an evolving landscape with multiplying interchanges<sup>2</sup>.

Structuring by the planes is supplemented by the instantaneous and omnipresent factor of communication. The network finds itself existing between the virtual and physical world. There are indeed physical sites and spaces for the tribunal, but the structural connections defining the programming are conceptually fluid, instant, and infinite. The relationship to the physical world of individuals existing in the network occurs when a tribunal actually occurs, and even here they are not part of the physical





The boundaries that once exalted the ownership of land have been replaced by a system emphasizing access and exchange. The American detention sites for prisoners in the War on Terror are located in a rational uninterested with physical location and unrelated to geopolitical borders. Place becomes a matter of convenience. Sites in this fluid network vary from the urban, Lazoughli Square in Cairo; to the hyper-isolated, Diego Garcia island in the Indian Ocean; and even include transient locations, USS Bataan.



world. This is more a moment of the tribunal network claiming a physical site into its network, than the network operating in the physical world. The participants become trapped in this network, occasionally being viewed by outsiders.

The tribunal network operates and is understood by outsiders primarily in a virtual world, because very few will ever see these planes touch down. No one outside the tribunal will ever physically see it proceed. The tribunal's virtual identity acquires not only the advantages of information flow, but is more easily exposed by this freedom of information. Secrecy in this program becomes a paradox. Because of public information exchange on the internet it is inevitable that all sites/planes will be identified. It is a matter of when, not if. Despite this, it is in the interest of the U.S. to be discreet, and ideally have control of what information is available when. Performance of these tribunals is highly secretive in the physical world, but is used as positive public relations in the virtual. The U.S. wants to show it still embraces freedom and justice. Though, showing in real time where tribunals physically occur can be a legitimate national security concern.

The program's interest is to ensure that the U.S. does not submit innocent persons to the prison detention network. Not only because this is profoundly unfair to the wrongly incarcerated, but also any realization of innocence years later will rightly lead to release. Upon release, further secrets of the War on Terror prison detention system will be vulnerable.

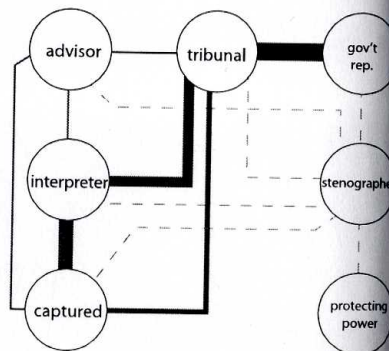
The recording and dissemination of these tribunals is brought into the public's virtual information exchange. Physical organization amongst the sites is spatially repetitive as the system expands dependant upon site elements. The most important being additional points of information, terror suspects. Temporal conditions of program further distinguish and organize individual sites. The tribunal network is a reality that predicts information supply, interprets identity incongruities, and claims a zone between physical and virtual space.



The tribunal network is initially structured similarly to the existing prison detention network. As, both have specific programs that can exist essentially anywhere in the world, and are intraconnected by planes and communication technology. There are profound differences between the pragmatic functions of the two networks, but an essential diagrammatic correlation between the two cannot be overlooked. It is first the particular program of the tribunals that must be understood.

Difficulty identifying the enemy is perhaps America's greatest problem in the War on Terror. This has been true for soldiers in Afghanistan or Iraq, and covert CIA operations throughout the world. As terror suspects do not necessarily fight directly for a state sponsored militia; wear recognizable uniforms; or abide by the rules of war, their status when captured is uncertain. Under normal instances of war, the captured would be considered POW's under Article 4 of the Geneva Convention of 1949. Being catalogued as a POW entitles the captured a stringent set of rights. The very detailed provisions ensure contact with the outside world; accommodations equal to the soldiers' of the Detaining Power; and humane treatment. If it is questioned whether a captured individual is a POW, a tribunal is to be held in accordance with Article 5<sup>3</sup>.

This tribunal is to take place within a timely manner while the prisoner is still in the 'theater of operations'. The convention dictates the tribunal includes three officers who hear information and determine the identity of prisoner; a military representative presenting gathered information; and the prisoner himself. As is the case in all other trials/sentencing in war, the accused should have counsel and the Protecting Power should have the right to observe the proceedings. Today, even in the theater of operations, this is possible with advancing technologies. An interpreter and stenographer are also required to be present in all other circumstances, and should thusly be present in an Article 5 tribunal. The availability of witnesses, especially for the prisoner, should be made possible in every means necessary<sup>4</sup>, whether this be a physical presence at the tribunal or



communication via a variety of technologies.

Traditionally, the Article 5 tribunal would either determine a captive to be a POW or, if he did not qualify under any of the 6 definitions, as a civilian combatant. Under this identity classification the captive is protected under Article 3. Not all the rights of the POW are enjoyed, but many are, as the protocols of the Third Geneva Convention must still be guaranteed to these captives. A new enemy identity has emerged during the War on Terror: enemy combatant. The legality of the enemy combatant status is outside this text's scope. It is highly contested, as it essentially legalizes formerly intensely covert CIA practices. Those classified as enemy combatant enjoy none of the protections of the laws of war. They can be indefinitely held incommunicado with no due legal proceedings<sup>5</sup>. The tribunals proposed must decide between POW, civilian combatant, enemy combatant, and innocence.

Article 5 tribunals had a brief form of existence at the beginning of the War on Terror. General Tommy Franks set up facilities at Guantanamo Bay's Camp X-Ray, but these were immediately squelched by Secretary of Defense Donald Rumsfeld<sup>6</sup>. At this early phase in the war the term 'enemy combatant' did not yet exist, and the prisoners were initially assumed by U.S. brass to be POW's. They would at least enjoy POW status until the Article 5 tribunal took place, as the Geneva Convention dictates. As the idea of 'enemy combatant' evolved into a captive with no rights, not even to challenge his status as 'enemy combatant', a complex network emerged.

Simultaneous to this Defense Department stance on captives in the War on Terror, the CIA acquired unprecedented and unchecked power to abduct persons throughout the world suspected of having terrorist ties. The historical practice of 'extraordinary rendition' was then manipulated to permit bringing captives to third party countries<sup>7</sup>. The purpose of these third party countries was/is to absolve the U.S. of jurisdiction, allowing for the torture of prisoners.

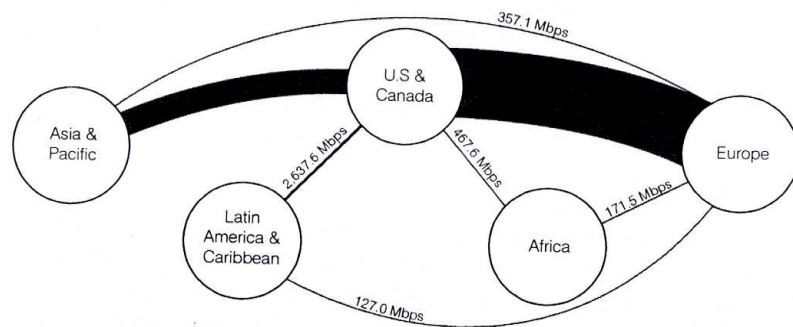




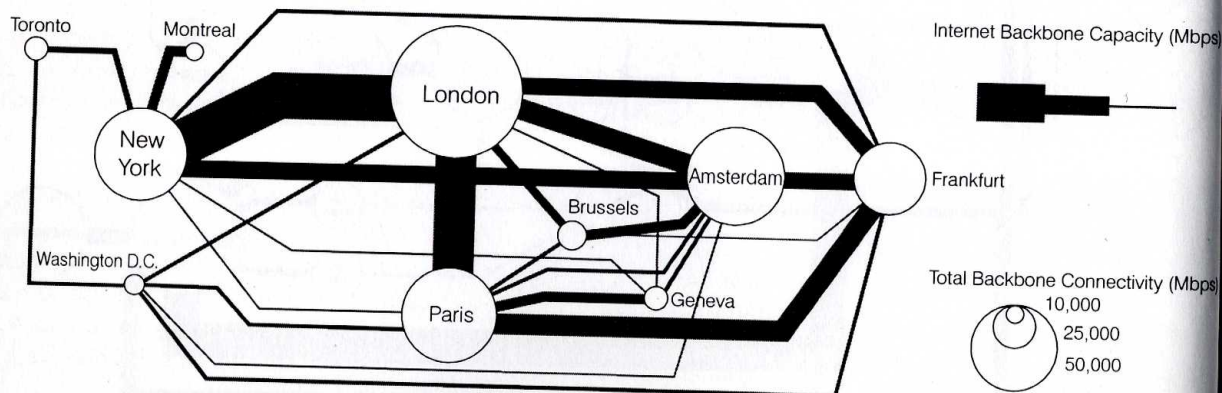
When a prisoner falls into the officially recognized prisons of the Department of Defense, he is subject to a world that denies the guarantees of the Geneva Convention, though promises to uphold its spirit. This policy produced the Abu Ghraib prison scandal featuring The Vietnam 'stress position', sexual degradation/exploitation, and U.S. servicemen giving thumbs up over dead prisoners. It is a policy of confusion augmented by instances such as Vice President Cheney approving of water-boarding on a talk-show while official policy simply ignores to comment. First hand accounts of released prisoners site sensory deprivation/overload, sleep deprivation, excessive solitary confinement, denial of prayer, physical abuse, threats toward family, feeding tubes and many other inconsistencies with the spirit of the Geneva Convention<sup>8</sup>. Keeping the innocent out of this network is imperative.







The global infrastructure of the internet available to civilians overmatched that of the CIA extraordinary rendition program. As the detention network attempted to overcome varying distances of site location, the internet offered nearly instantaneous access to all information in its databases.

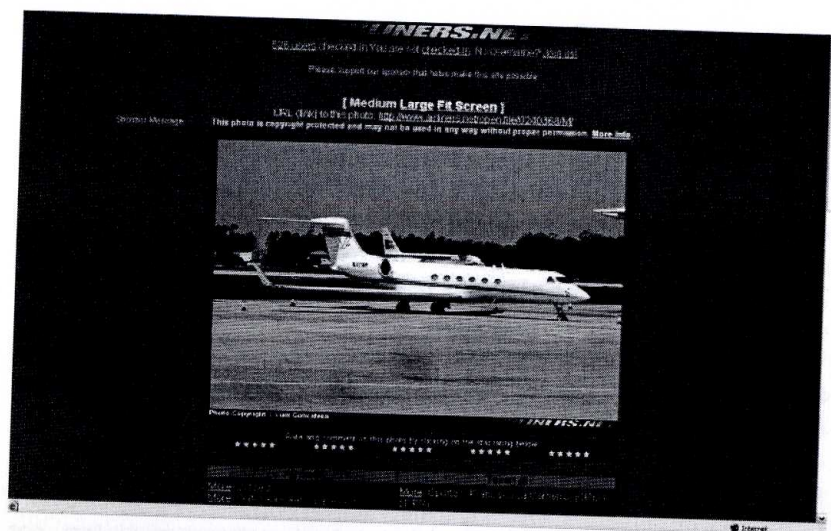


Tracking CIA rendition flights, which led to the discovery of sites in the network, could not have occurred without the internet. The internet provided a virtual community that could connect information recorded by plane-spotters throughout the world. The CIA's civilian aircraft, owned by front companies, allowed the transport of prisoners across borders with relative ease. The Chicago Convention provides freedom of mobility across international borders for civilian aircraft. Military planes, of course, need clearance from a foreign government to enter foreign airspace<sup>11</sup>. Civilian planes are susceptible to leaving a lengthy paper trail though, and can have clues of CIA involvement to the skilled eye.

Plane-spotters can identify suspicious planes by noticing odd radar components or checking lists of civilian planes with access to military airfields. By recording the data of CIA planes, sometimes unknowingly, plane-spotters became responsible for providing the information that collectively became the smoking gun in unraveling the CIA extraordinary rendition program. Through user created databases such as *Airliners.net* and *Planspotters.net* it is possible to track any plane that flies through tail numbers and serial numbers. Much of this data is gathered simply by hobbyists recording planes that land and take off at an airports. Radio signals can also be easily captured and decoded using consumer computer programs. More sophisticated techniques have emerged allowing access to 'data feeds', a direct link to the FAA's computers. This data feed is used by airline companies to track their own planes and is what provides the in-air flight data passengers can enjoy while in transit. Some planes, those of most interest to this sub-culture (and not coincidentally CIA torture planes), are blocked from this list. This block is tantamount to a DVD encryption scheme or internet firewall. Meaning, it is an invitation to hackers<sup>12</sup>.

All these different data gathering techniques pieced together, and then coordinated with current affairs corresponding to the flight patterns, brought the rendition flights to public knowledge. "The data corroborated stories when hard facts were almost impossible to come by."<sup>13</sup> This revela-





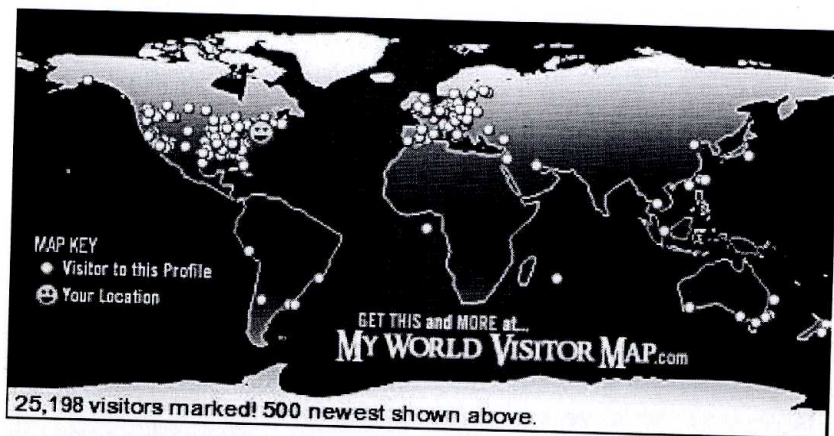
This Gitmo Express photo from Portugal receives 5 stars across the board from Airlines.net members

tion caused significant public unrest in European countries with governments pledging to prevent further rendition flights from touching down in their respective countries. Some planes have been grounded or sold off because of their notoriety, most notably the Guantanamo Bay Express currently for sale at <http://www.usaircraftsales.com/usacurrentlistings.htm>. New planes are brought into the program under the ownership of new front companies, and the game of secrecy and discovery continues.

The tracking of the CIA rendition flights is inevitable. Their very strength of camouflaging into the civilian aviation world leads to the weakness of leaving a paper trail detailing every action from flight log to corporate ownership. Still, host countries involved in the flights are granted a limited degree of political cover, as they can plead ignorance. Denying knowledge of military flights would be impossible since they are required to receive specific clearance. Even as the civilian flights are tracked, there is a lag time between a plane being spotted; put into the plane-spotter network; and conclusively identified as performing an extraordinary rendition. The virtual plane-spotter community was able to recognize the CIA network's operatives that wore no military markings and obeyed no law of war. This was possible because the prison detention network existed closer to a physical reality and operated at a slower speed than the plane-spotters. Access to compiled databases and the speed of information flow in the virtual world overcame the secrecy of the CIA network.

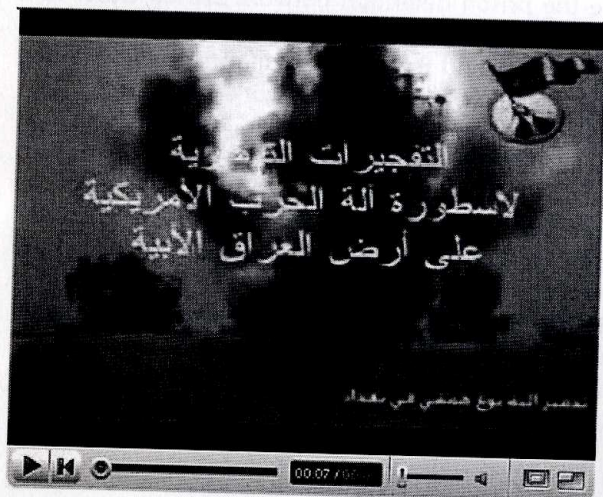
Individual airplanes began to acquire a virtual identity as they were tracked online. On Airlines.net a single image, along with flight history, of the Guantanamo Bay Express had been viewed 12,799 times as of 10/10/06. This plane was intended to be viewed by none, but its virtual celebrity overwhelmed its physical anonymity, and became the plane's primary identity. The potential of the internet to reestablish identity is affirmed by the proliferation of online identity sites.





MySpace plug-in allowing social networker to see locations of every network member to visit his site.

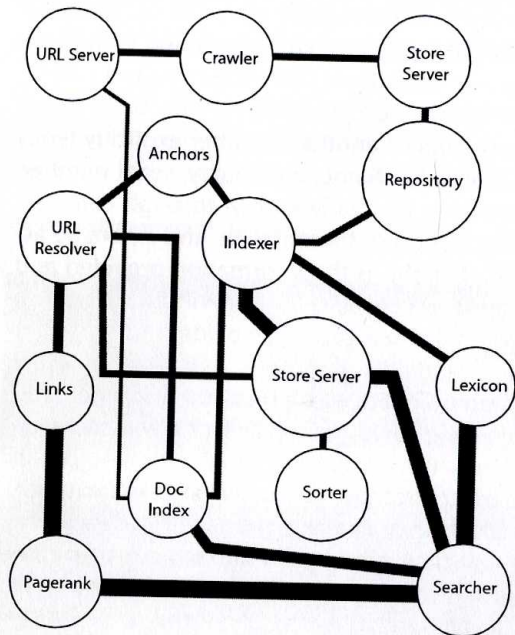
Terrorists regularly post their attacks on YouTube.



The strength of the online network is its ability to connect people in disparate locations. Location, origin, and nationality become unimportant in these networks. The online social networker is consistently defining himself through a complex and comprehensive system. Not only is this an exercise in self examination, but the resulting perceptions that others in the social network will develop must be considered. Most essential to the networking of individuals is a voluntary assimilation determined on interests/beliefs. While nationality may align with online communities, as would be expected by generations of ethnocentric assimilation, physical origin of various online communities' members is unpredictable.

There are essentially three actions to perform in an online community: defining oneself; seeking individuals or ideas; and interaction with those findings. A hierarchy of categories catalogues both objective and subjective information. Some of the information provided, notably one's name, becomes confidential and is used only if another member explicitly types it in under a 'search-friend-name' field. Name, nationality, serial number, or DNA makeup are important only if already known through channels outside the network. What one associates himself with, and whom he associates with take precedence. For, this is the information provided and possible to find through examination of the profile. A virtual alias along with a catalogue of information is the new paradigm of identity.

The questioned identity of captives needs to be resolved understanding this new notion of identity. These captives generally lack any association with a national army. Their army is assimilation not of nationals, but of ideologues. While they do have concentrations of physical inhabitance, the geopolitical borders in which they lie are a matter of convenience. More important than nationality are shared beliefs and experiences. This reflects declining control of government. Identity has become much more conscious of its complexity, as technology has enabled the communication of layered palettes of information.



Google's system of information interpretation. PageRank is solely responsible for gauging credibility.

Access to this layered and nearly infinite information has led to complex methods of information gathering. Google became the most popular search engine as it developed comprehensive algorithms yielding the most accurate results for the researcher. While the exact formula for calculating the order of relevant pages for a search is confidential, this site unlike its competitors publicly states many contributing factors contained in its formula. Page designers are then able to determine with a reasonable accuracy how to optimize the likelihood of their website being targeted by a search.

Factors include:

- paragraph/sentence formatting on pages
- keyword in title tag [so long as title is under 35-40 words]
- keyword in description tag (determined by first few lines on page)
- quantity of linked pages
- quality of linked pages (see PageRank formula)
- quantity of links on linked pages
- keyword density (filters keyword spamming) [6-10% density ideal]
- click popularity
- [keywords in header tags]
- [keywords in links to site]
- [keywords in bold]

basic formula for PageRank: assume average PR = 1

$$PR(A) = (1-d) + d(PR(t1)/C(t1) + \dots + (PR(tn)/C(tn)))$$

PR= PageRank d=.85 t= linked page C=total links on linked page<sup>14</sup>

Essentially this formula tells that having links from other sites is very important, but if those other sites offer links to many other sites the value of those links is lessened.



These factors all contribute to organic page listing. This can be superseded by becoming a sponsored link. Organic listings are nearly universally preferred by the researcher though and the two are listed in separate columns so it is clear what pages are organic and what are sponsored. U.S. policy offering cash rewards for terrorist information in Afghanistan produced many false results, innocent captives.

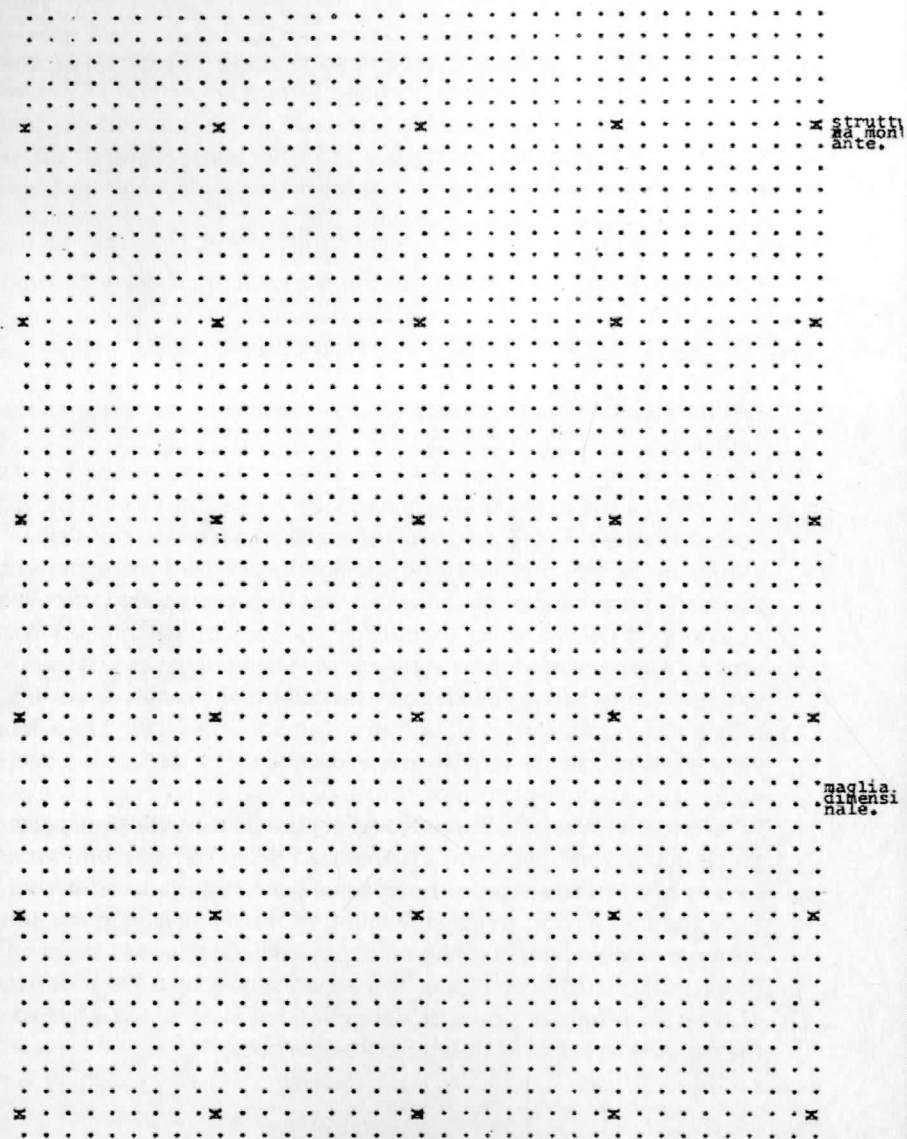
Applying the PageRank formula to the War on Terror is easily done, where:

$$PR(A) = (1-d) + d(PR(t1)/C(t1) + \dots + (PR(tn)/C(tn)))$$

PR= Informant/Detainee Value    d=.85    t=Source    C=Names Given by Source

This formula is a deterrent for giving false names, and would prevent innocent captives. Take for example the false imprisonment of Mohammed al-Tumani. He was captured after intelligence acquired accusations he had trained in terrorist training camps. It was later determined, after years of detention at Guantanamo, that al-Tumani was not in Afghanistan at the time he was purported to be at the camp. The intelligence was from a lone informant who had accused more than 60 other persons under U.S. custody<sup>15</sup>. Clearly, under this algorithm al-Tumani would have had a detainee value very low, just .01412 a value more than if no accusation had been made at all, assuming the informant's value was the average 1.0 level. The "d" could conceivably be altered to reflect the percentage of suspected terrorists in the world. If there is a projected 1 million terrorists/informants in a world of 6.5 billion people, the "d" value would translate to .999846. With the informant having an average rating of 1.0 of a person in the network, al-Tumani would have a rating of .016817946, or .0166641 higher than if no accusation had been made. Since there would be 6.499 billion ratings of .000154, al-Tumani would be determined of minimal value in balancing the network to 1, and not a legitimate detainee.





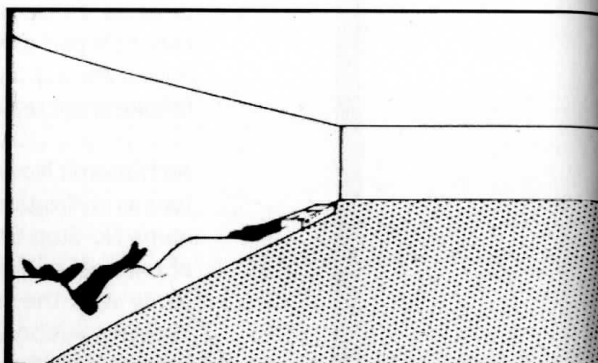
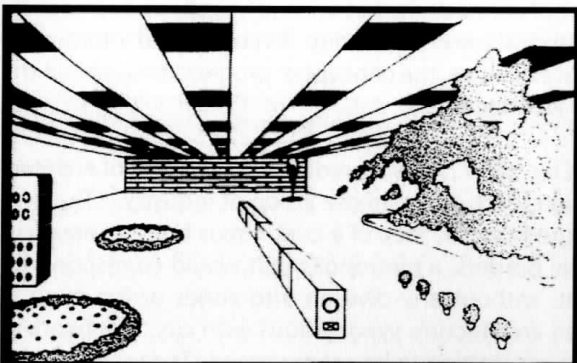
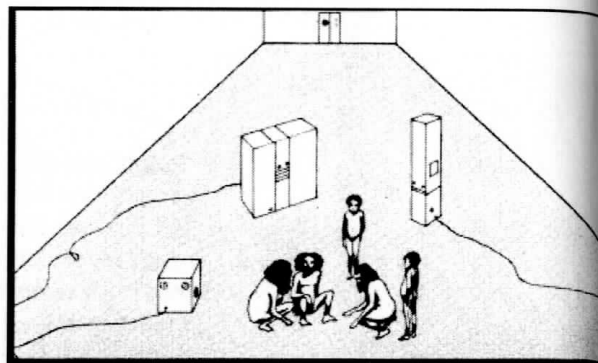
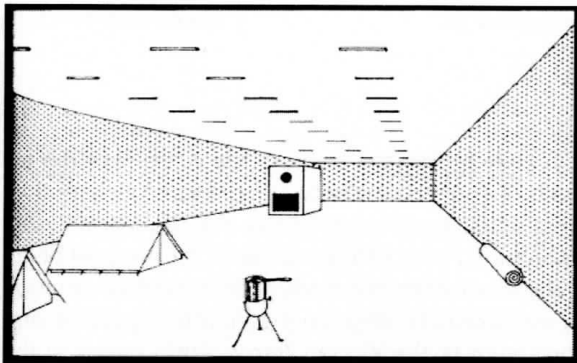
Spatially indifferent  
points of information  
are organized on the  
infinite plane.

Google can successfully apply its formula because the virtual world it exists within is purely a web of connections between points of information. To begin applying virtual world search capabilities, the tribunal network needs to emulate this structure. Points of information in the network begin with the tribunal sites. These points then include data-banked information already gathered from the tribunals; prison network interrogations; and all other intelligence pertinent to the War on Terror. Links between the pseudo-physical sites of the prison network and the tribunal network also develop. This existence of connectivity between physically anonymous locations is part of an historical trend in urbanity. As culture and information have shifted to a virtual existence, the concept of programming within the infinite is the reality of architecture.

Archizoom's No-Stop City, '69-'72, was a prediction of the role of architecture as civilization would reach the extreme vision of industry. "The very name No-Stop City arose from the idea of a continuous built-up area free of external and internal borders, a metropolis that would correspond directly with the market, without any division into zones or functions."<sup>16</sup> Their resolution was an architecture synonymous with city, a network of infinite repetition of points waiting to be programmed. Today the market has shifted towards service, but more importantly information. And, the marketplace of ideas/information exists in the virtual realm. Branzi implies it is the nature of the establishment to lag behind society:

"I believe that Francios Furet furnished an interesting interpretation when he described the French Revolution not as a conflict between a society intent on renewal and a power preventing it, but instead as a clash between an already transformed society and a power that remained slow to come to terms with a new state of affairs."<sup>17</sup>

The virtual world has usurped the city. The physical proximity to information and individuals that gave the city value have been equaled and outdated by the virtual databases/communities. This declining value of



Individual spaces within No-Stop city are generic. They are organized sectionally according to general programming possibilities. Place is defined by the user's insertion of program. The sites in the tribunal network are non-specific. Variances in security potentiality begin to suggest viability for desired program. As the tribunal network claims sites, programming determines their new virtual identities.

not only the city, but of all geopolitical external and internal borders is clear in the form of international terrorist organizations. Terror cells exist across borders and the identities of bin Laden or al-Sadr created online bring the entire network into a virtual existence. Terrorists do target the physical world of course, but are more concerned with global response via mass media than how a particular municipality deals with carnage during a morning commute. The image of the WTC falling will not be read in the future as the reaction of a self-identified, oppressed, global populace causing conflict with the establishment. Despite the intent of the terrorists, the fall of the towers was the moment when an increasingly virtual society forced the establishment to move from the physical to virtual world. If the established practices of American defense does not change with the currents of society it is destined to fail. The tribunal network must bring the virtual world's comprehension/coordination of information to the War on Terror.

The tribunal network may at times take queues from the prison detention network, but is primarily concerned with overcoming the failures of accessing information and the physical limitations of site.

A comprehensive matrix of site possibilities is first created. Once site possibilities are recognized they are then filtered through physical world parameters. This process along with statistical data inform the strategic relationships amongst various sites. The logistical possibilities of holding tribunals can then be inserted into the network's organization. Individual sites are then programmed as dictated by the now informative network structure. Activation of tribunal hearings occurs as captives are collected. Tribunal planes mobilize the network and a temporal programming redefines given sites.



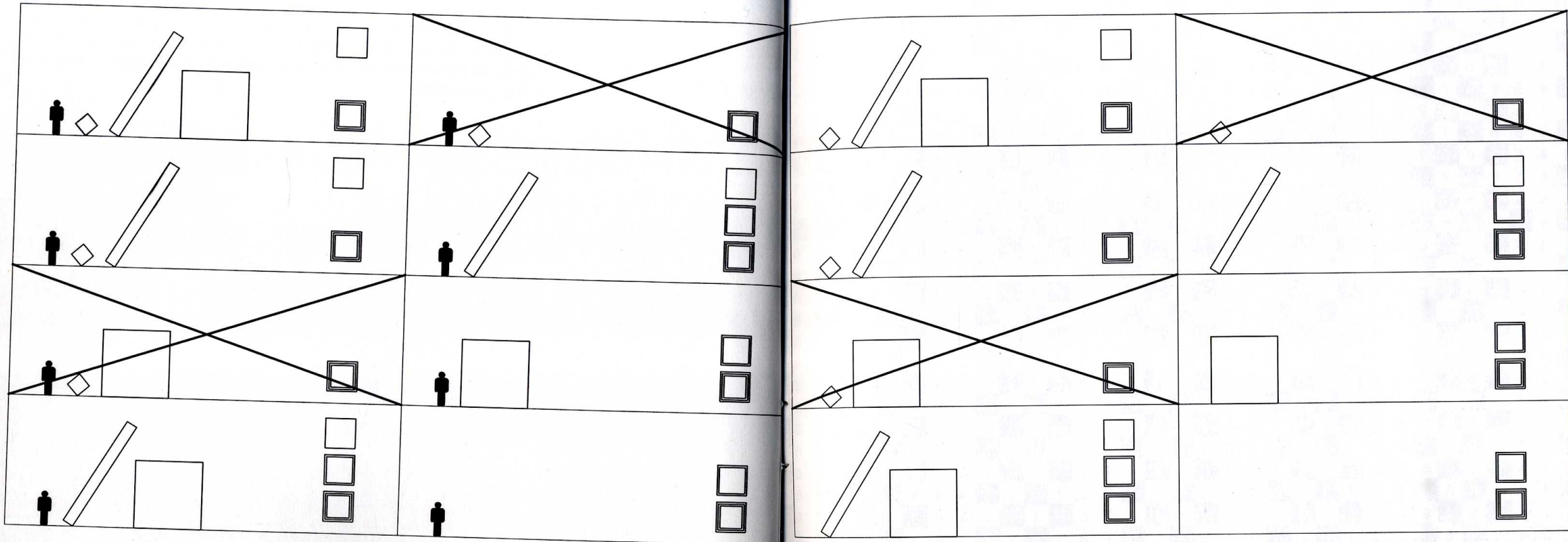
There are three site types:

civilian airport  
non-traditional airfield  
military base



Four representative elements may be present at a given site:

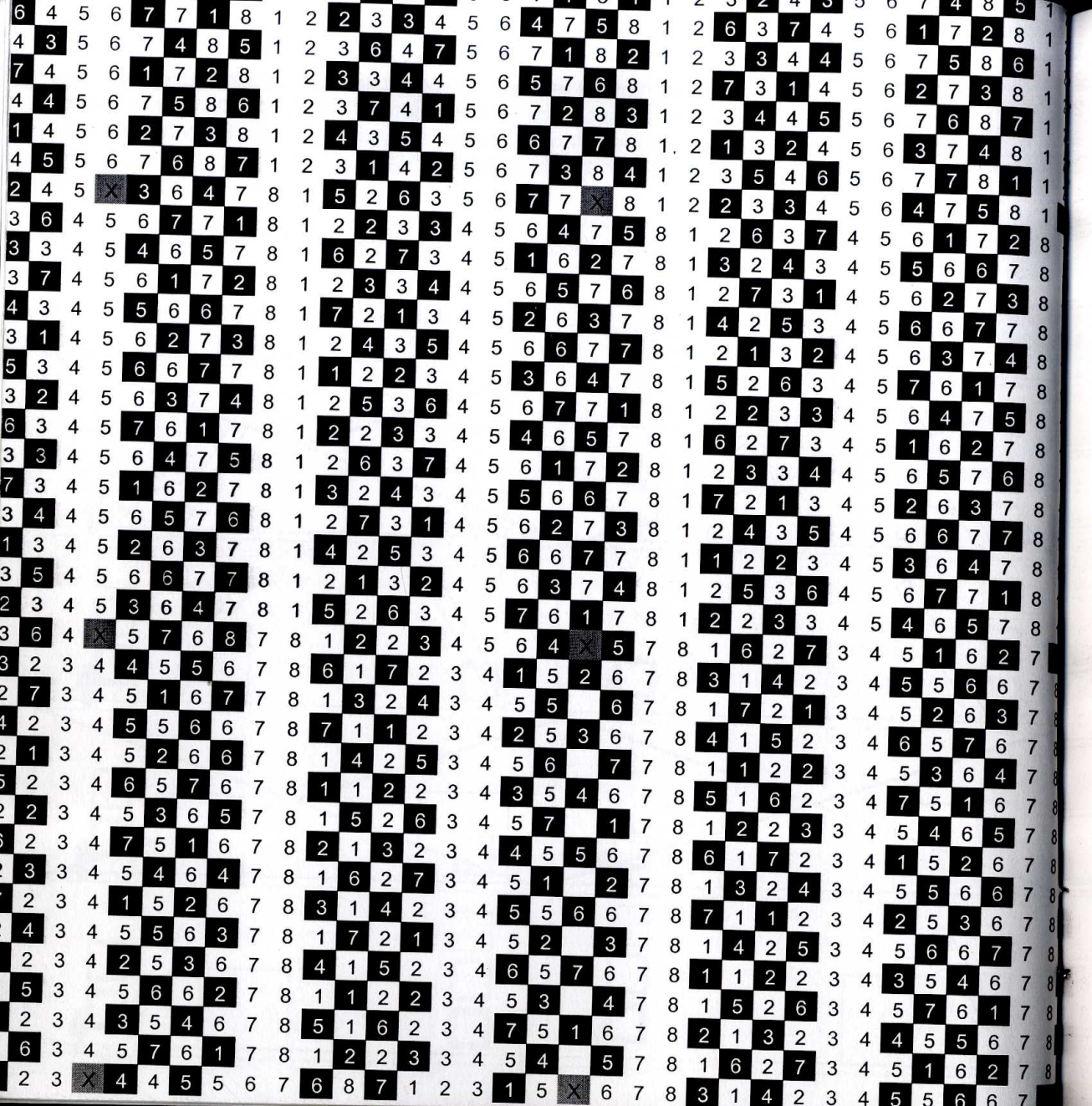
terror suspect (program catalyst)  
control tower (prevents physical secrecy)  
runway (promotes accessibility, may prevent secrecy)  
hangar (promotes secrecy)



There are 16 possible combinations of the site elements for each site type. Four of these statistical possibilities would never exist (i.e. a control tower with no runway) for any site type. By definition, a non-traditional airfield will never have a control tower and a civilian airport will always have a runway. These stipulations leave 8 possible civilian site; 8 non-traditional airfields; and 12 military site possibilities.

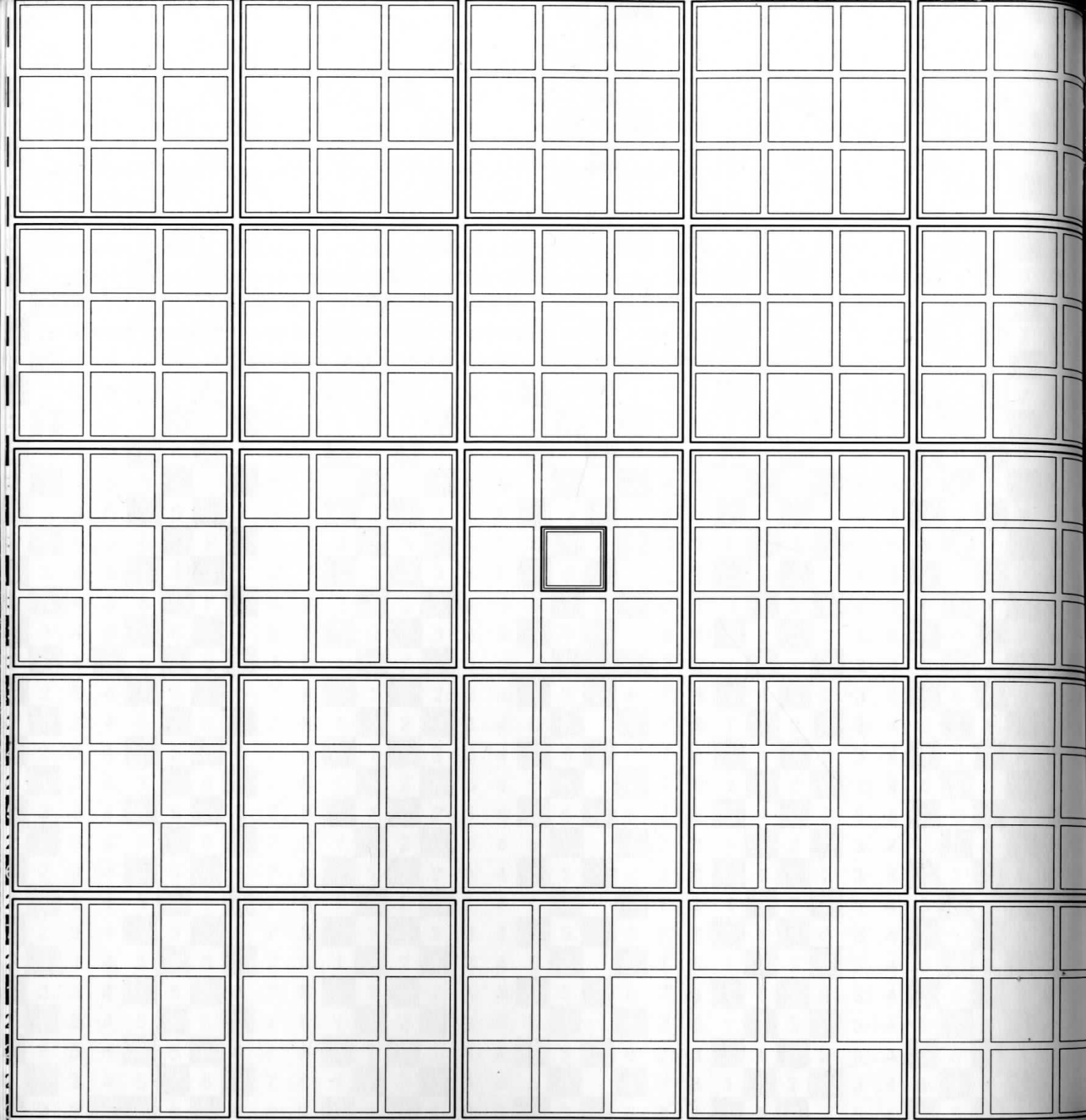
A site with a control tower and no hangar at a civilian airport is always insecure. If that site has no terror suspects then it is of no value to the tribunal network. 7 variances of the civilian airport remain.

Each combination has a varying degree of security. Hangars and remoteness provide security while control towers and civilian use/access to site challenge security.



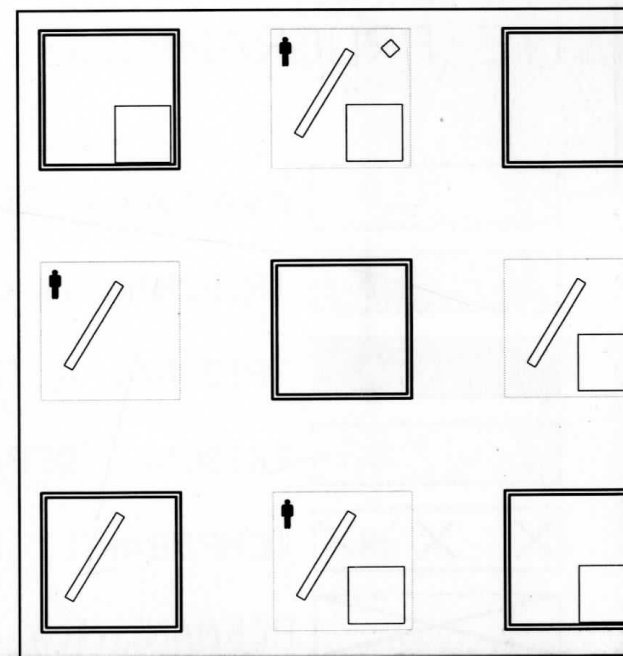
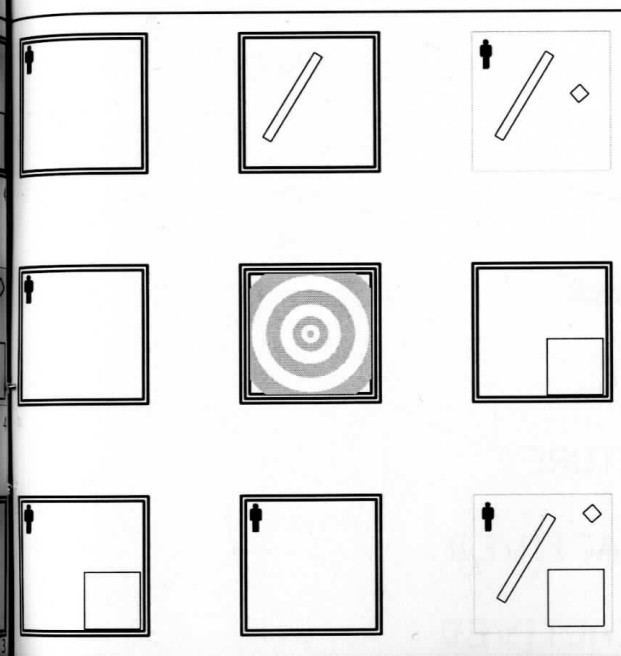
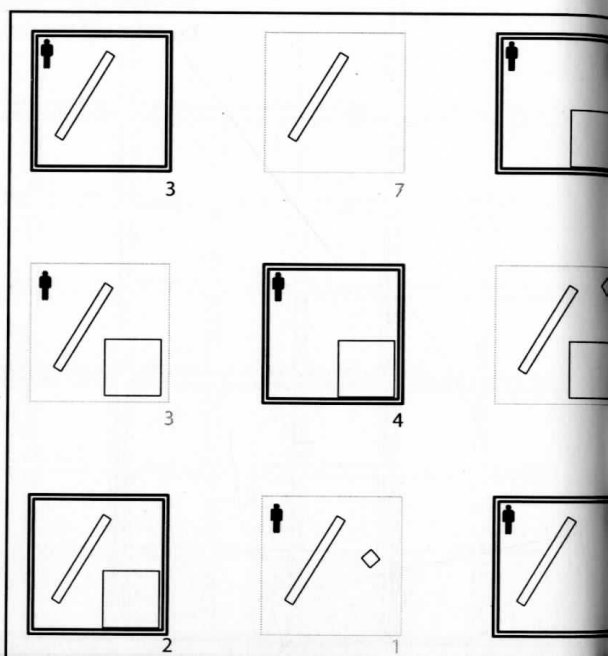
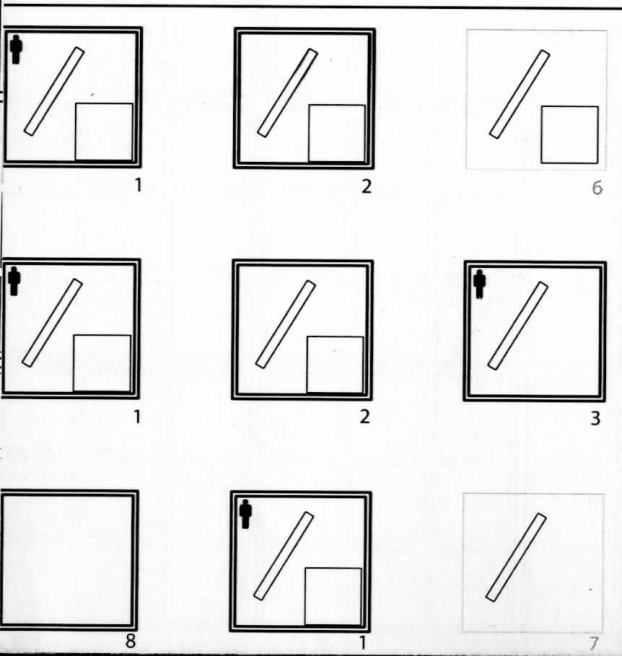
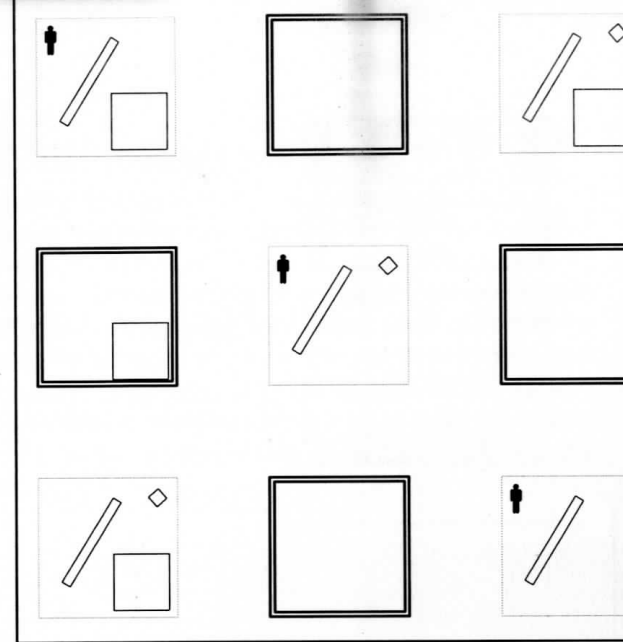
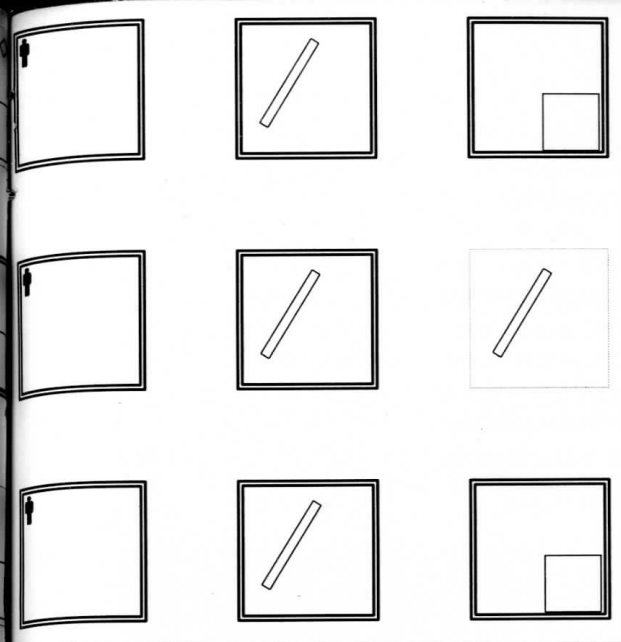
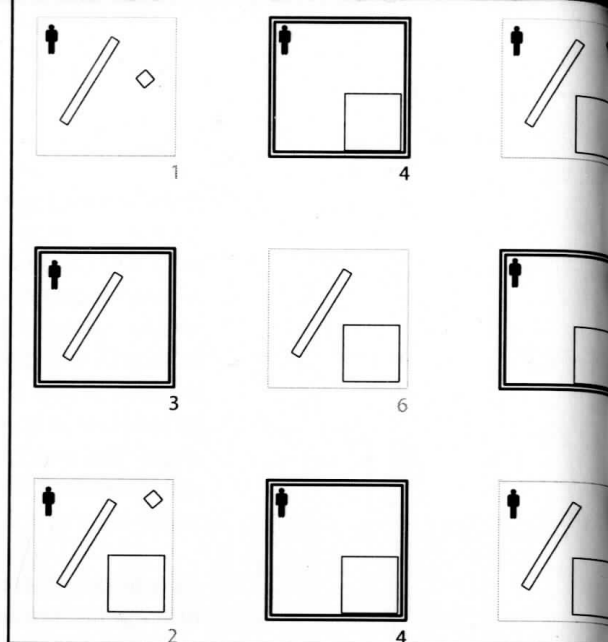
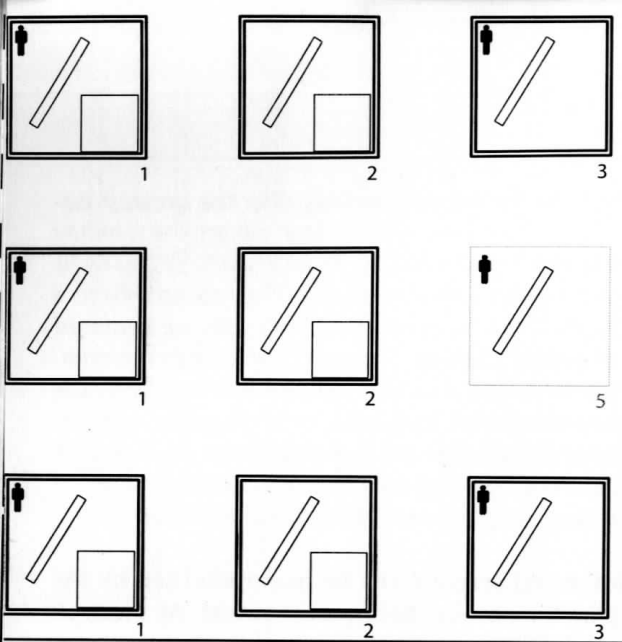
Using data from the CIA's *The World Factbook*, it can be estimated that there are two non-traditional airfields for every civilian airport. And, to a slightly less accurate degree that 1 of every 200-250 airfields in the world is of the U.S. military. This data informs the organization of the network. The site types are distributed as a predictable, evenly dispersed system. The 7 civilian and 8 non-traditional airfields are also laid out in a repetitive pattern. Shifts of proximity between sites is accommodated for as the system's rhythm skips at the interruption of military sites.





Military bases are valuable to the network as they offer the greatest degree of on site secrecy. Access by a civilian plane to a military site is highly suspicious though. In the existing prison detention network, planes fly to a shield location, and then try to evade detection as they covertly fly to a nearby military base. In the tribunal network military sites are centered in 15 x 15 site units (1 of every 225 sites). The grid conflict with the organization of the 8 non-traditional and 7 civilian airfields is what allows the network to accommodate thousands (millions?) of varying site relationships. The maximum distance between any given site and a military shall not exceed 4,500 miles, as maximum flight distance is 9,000 miles. There is no location in the world outside 4,500 miles of a U.S. military base.

As any possible physical world scenario can be accommodated by the operational system in play, the network has become virtual. All those elements within the network have become virtual as well. The strictly organized sites ground where the ensuing unpredictability of when the tribunals will be called for duty.







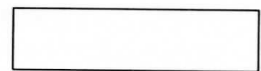
NETWORK DISTRIBUTOR



TRANSFER POINT



STORAGE POINT

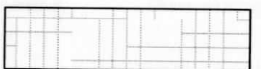


INSECURE FOR TRIBUNAL



SECURE FOR TRIBUNAL

## TEMPORAL SITE PROGRAMMING



AVAILABLE SITE



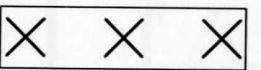
TRIBUNAL IN QUEUE



TRIBUNAL ACTIVE



TRIBUNAL DEPARTURE



TEMPORARILY DEACTIVATED



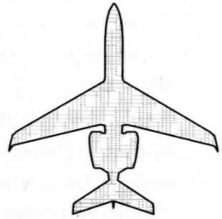
PERMANENTLY DEACTIVATED

Site type and combination of representative elements determine the site programming. There are three strategic support programs for the tribunals; network distributor, transfer facilities, and storage facilities. Sites for holding tribunals are then classified as either secure or insecure. Secure sites acquire a series a temporal programmatic demands; queueing for the tribunal, activating the tribunal, returning the site to normalcy after a tribunal. These site may also become either temporarily or permanently deactivated. Insecure sites with terror suspects must have immediate proximity to a secure site so that a tribunal may occur reasonably near the 'theater of operations'.

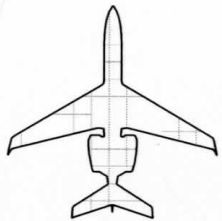
# TEMPORAL PLANE PROGRAMMING



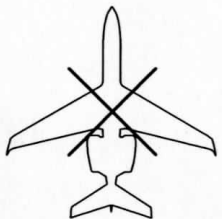
suspect en route



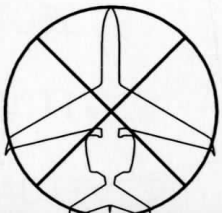
en route to tribunal



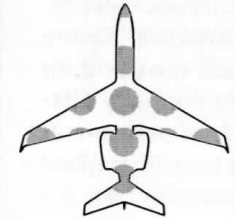
plane parked



temporarily deactivated



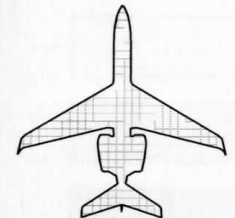
permanently deactivated



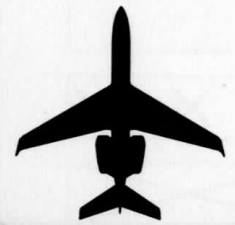
foreign network  
destination



departing tribunal  
with prisoner



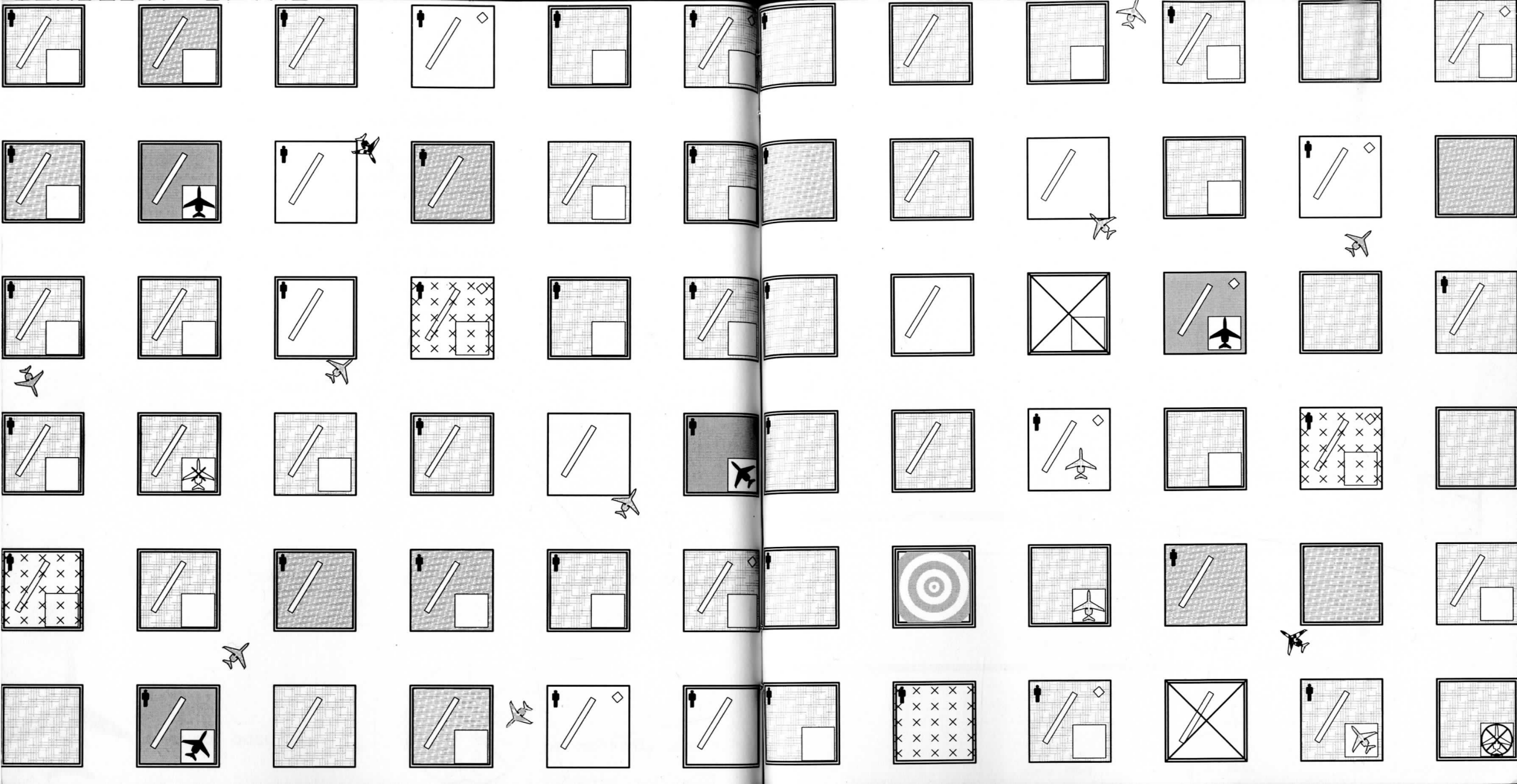
departing tribunal  
without prisoner



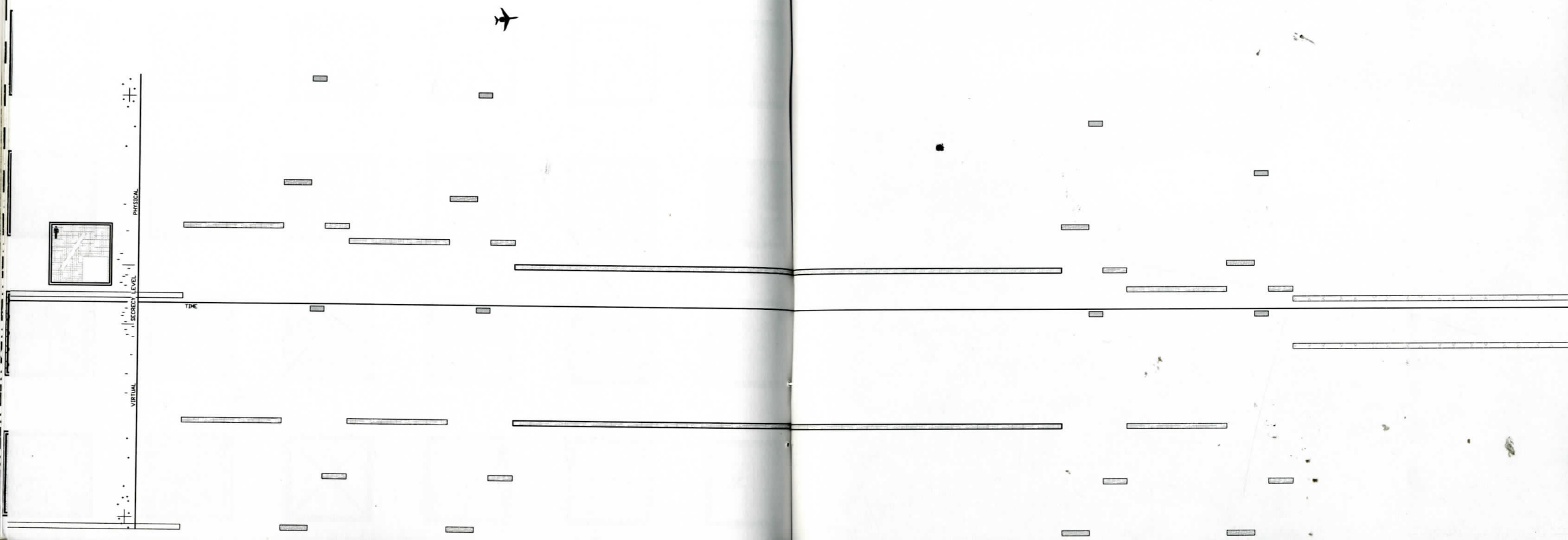
tribunal occurring

The individual planes' programming is exclusively temporal. The varying programs dictate the personal needed in the planes and the operational state of the tribunal facility. Planes are more likely than sites to be deactivated as they are more easily replaceable. A permanently deactivated plane disappears from the network, while a deactivated site becomes a blind spot. It can be conceptually replaced by a new site in the network, but the dependency on physical location to define a site can never be completely disregarded. Even the internet needs physical space to hold the technology that creates the virtual world.





Each individual site has its own history of programmatic fluctuation. At each of these moments the priority of secrecy in both the physical and virtual world is altered. Virtual properties are predefined and consistent. Physical levels of secrecy are less predictable in the physical world and lead to the deactivation of sites/planes.







The tribunal facilities are stored within the planes and bellow out onto the tarmac when the hatch-door opens. Plane and tribunal facility remain connected. As tribunal personal from the plane move into the tribunal space, they remain in the physical domain of the tribunal network. When the tribunal facility is inflated at a site the network is commandeering a space formerly of the physical world. As this space is enclosed by the architecture, the network's operations will provide a virtual existence of celebrity through the internet. The former physical existence of the programmed space becomes nullified by this virtual celebrity resulting from the tribunal. A given tribunal hearing exists perpetually online even as the space where it occurred has long since been returned to anonymity in the physical world.

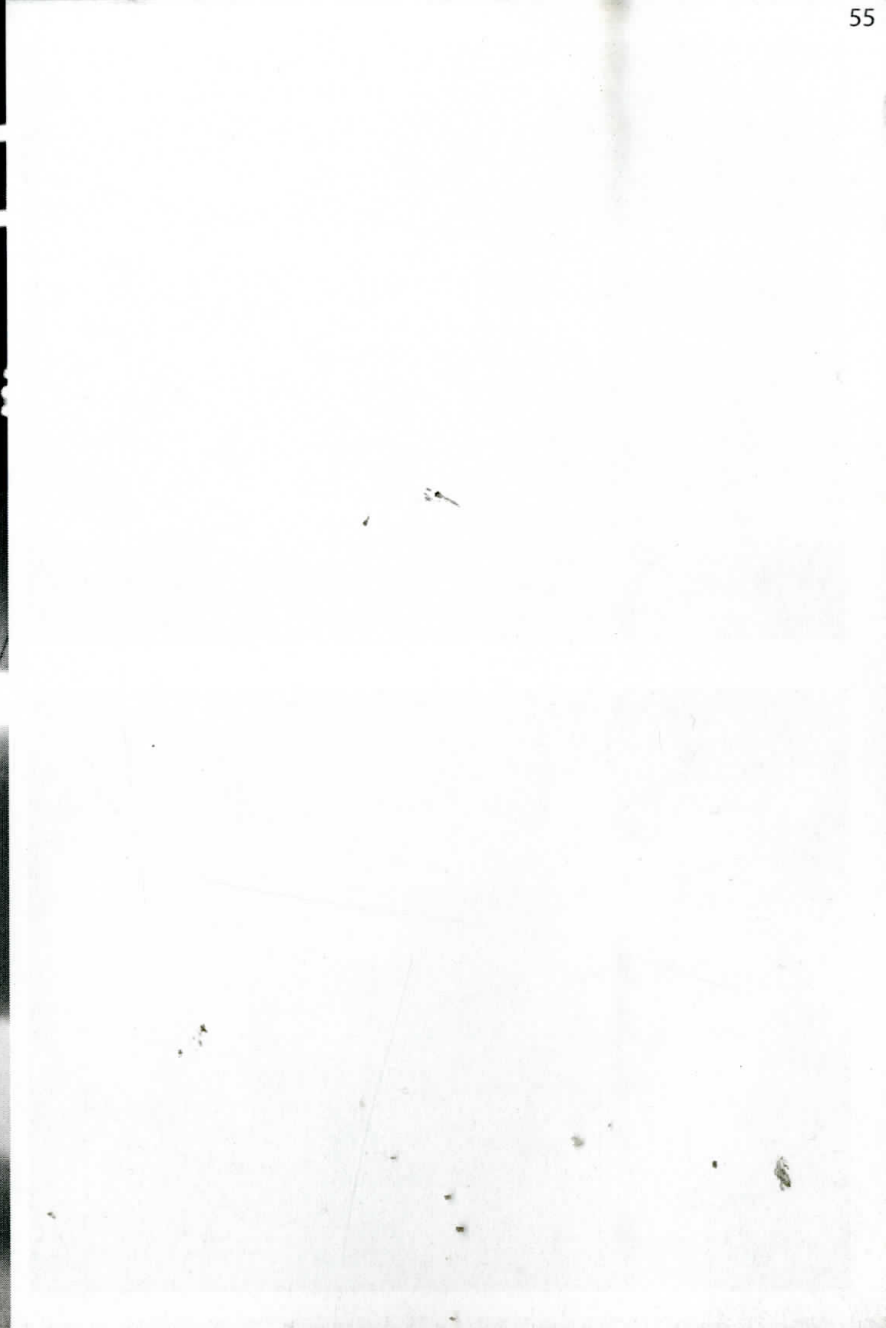


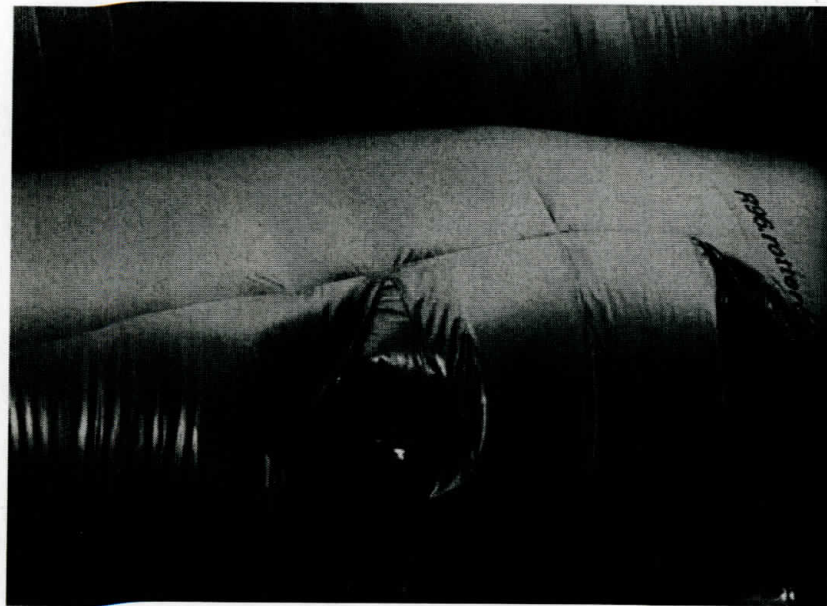
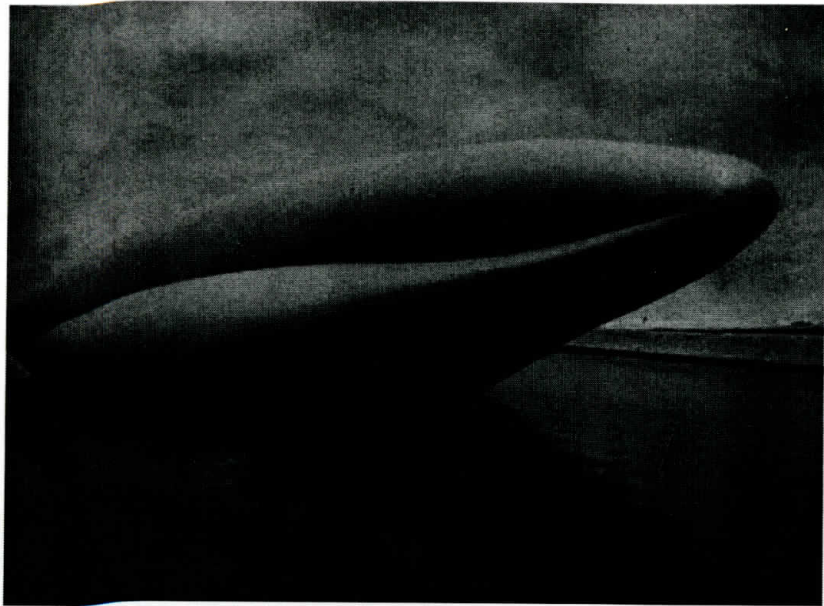




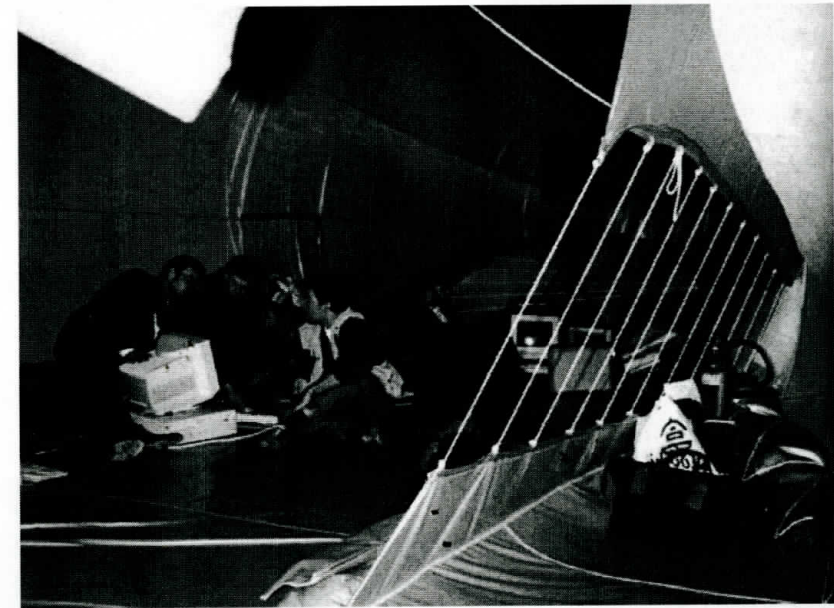




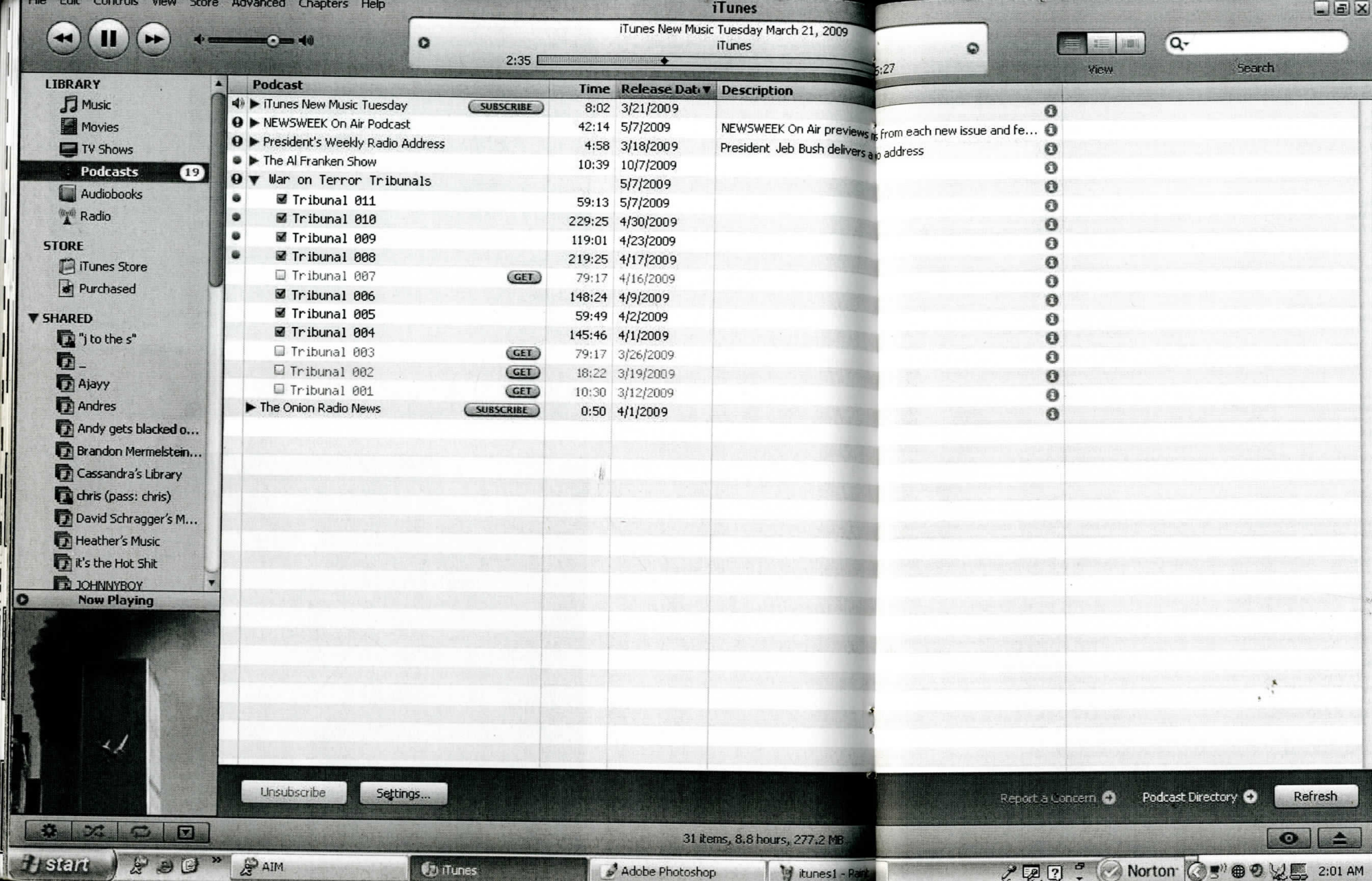




As the tribunal's exterior on site is of an amorphous inflatable, its true presentation to the world is understood through the virtual. Like Oosterhuis' paraSITE, only a select few participants will physically encounter the facilities interior. Communication to the outside world over the internet forms the identity of both projects in the public conscious. Progression towards a virtual governance is dependant upon the public's reaction to how the tribunal presents itself.







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The tribunal network comes into direct interaction with the internet as tribunal proceedings are publicized via video podcasts. They vary in length, participants, and content of the proceedings. The physical enclosure and interior space of all tribunal facilities are identical, and therefore indistinguishable. This is done to further the anonymity and inconsequence of where the tribunal is physically being held. The sensitivity of information at a given tribunal dictates the time lapse between its occurrence and the podcast's release. It is the goal of the network to approach real time streaming content. This promotes transparency in government and will thusly contribute in winning public appeal. By allowing persons across the world to witness terrorist tribunals on their subscription podcast channel, the network is proactively creating a virtual identity for itself.



# APPENDIX

The Geneva Convention of 1949

High Contracting Power: Country that has signed Fourth Geneva Convention  
 Detaining Power: Country holding prisoner  
 Power of dependence: Country prisoner is national of  
 Protecting Power: Neutral High Contracting Power enforcing Convention  
 Neutral Humanitarian Organizations \_ International Red Cross

## GENERAL PROVISIONS

Article 1: Those who sign the Convention will uphold them.  
 Article 2: The Convention shall be followed during a war between two or more of the High Contracting Powers, even if not all parties agree to a state of war. If a HCP is occupied without resistance, the Convention still applies. The Convention will also apply to powers not obliged to the Convention if that power accepts and applies the provisions of the Convention.  
 Article 3: During hostilities not of an international nature in the territory of a High Contracting Power, persons shall be protected from degrading treatment. The engaging parties should establish terms consistent with the Convention.  
 Article 4: Defines those who are eligible to become prisoners of war.  
 Article 5: The Convention applies to those persons identified in Article 4. If in doubt, they will enjoy the given provisions until a competent tribunal determines their identity.  
 Article 6: Parties may make further agreements, so long as the Convention is not compromised.  
 Article 7: Prisoners cannot deny the rights of the Convention.  
 Article 8: Delegates from the Protecting Powers shall be chosen to apply the Convention.  
 Article 9: The Convention does not prevent the Red Cross or other neutral humanitarian organizations from protecting prisoners, so long as Parties of conflict consent.  
 Article 10: A neutral party may take control of prisoners at the courting of the Detaining power or at the will of the High Contracting Powers. If a neutral state is unavailable, the duty shall fall on humanitarian organization.  
 Article 11: If application/execution of Convention is in question, the Protecting Powers shall meet, possibly with a neutral third party, to resolve the matter.

## GENERAL PROTECTIONS OF POW'S

Article 12: The Detaining Power, not individuals or units thereof, are responsible for prisoner treatment.  
 Article 13: Prisoners must be treated humanely. Causing harm to a prisoner is a serious breach of the convention. Prisoners are protected against public curiosity.  
 Article 14: Prisoners' honor, especially that of women, shall not be compromised unless required by captivity.  
 Article 15: Prisoners are not to pay for their housing, meals, medical.  
 Article 16: Preferential treatment may be based on; rank, sex, age, health, professional qualifications. May not be based on; race, nationality, religion, politics.

## CAPTIVITY

### Beginning of Captivity

Article 17: Prisoners shall give their surname, first name, rank, date of birth, number, or equivalent information. Refusal to do so may result in the loss of privilege his rank or status would dictate. No prisoner is to be tortured/coerced or punished for answering further questions. An identification card shall be issued containing the given information. This card cannot be taken away from the prisoner, and must be presented when asked. All questioning must be in a language the prisoner understands.  
 Article 18: Only military equipment and documents may be taken from prisoners. This does not include protective gear, helmets, gas masks, etc, or sentimental items, badges. Money can only be taken by an officer and must be catalogued and to be returned in the future.  
 Article 19: POW's are to be removed from the combat zone and held at a safe facility.  
 Article 20: Evacuation of prisoners should be under the same condition of those for the Detaining Power.

### Internment of Prisoners of War

#### General Observations

Article 21: Detaining Power may subject prisoners to internment. Prisoners may not be held in close confinement except when necessary for health. Prisoners may be paroled or released, but are not obligated to accept liberation.  
 Article 22: Prisons must be on land, and may not be penitentiaries unless it is in the interest of the prisoner. Prison camps must be organized in a manner consistent with the culture of the prisoners.  
 Article 23: Camps may not be in the field of combat, nor be used to prevent military operations. Prisoners must enjoy the same safeties as the civilian population, bomb shelters. The location of camps must be given, using the Protecting Powers as intermediaries.  
 Article 24: Permanent screening/transit camps shall be outfitted to comply with the Convention.  
 Quarters, Food, and Clothing  
 Article 25: Quarters must be at least of the same quality as those of the Detaining Power. Women must be held separately from men.  
 Article 26: Food is to be in quantity, quality, and variety. It is encouraged that prisoners prepare their meals. Denial of food as punishment is forbidden.  
 Article 27: Clothing, underwear, and footwear appropriate to climate is to be given. If military uniforms of the prisoners are available they should be distributed.  
 Article 28: All camps are to have a canteen selling soap, tobacco, etc. at local price.

#### Hygiene and Medical Attention

Article 29: Proper facilities shall be provided to uphold proper hygiene.  
 Article 30: Every camp is to have an infirmary. Access to medical care must be provided by the Detaining Power, civilian hospitals, or nationals of the detained. The cost of treatment is the Detaining Power's burden.  
 Article 31: Health inspections shall be administered monthly.

Article 32: Medically trained prisoners may be compelled to act for the Detaining Power. They are to be treated the same as medical personal of the Detaining Power.  
 Medical Personal and Chaplains  
 Article 33: Medical personal and chaplains are not prisoners of war, though they enjoy at a minimum these protections. They must be provided access to perform their duties and cannot be forced to perform any other labor.  
 Religious, Intellectual and Physical Activities  
 Article 34: Prisoners may exercise their faith.  
 Article 35: Chaplains may provide services and communicate with their ecclesiastical authorities.  
 Article 36: Prisoners who are ministers shall enjoy the same rights of Chaplains.  
 Article 37: If no chaplain is available, a minister or someone appropriate is to be found by the Detaining Power.  
 Article 38: Intellectual and recreational pursuits shall be encouraged, and place for sport is to be supplied.  
 Discipline  
 Article 39: A camp commander must be assigned to every camp and be responsible for upholding the Convention.  
 Article 40: Badges of rank, nationality, and decoration shall be permitted.  
 Article 41: The Convention must be presented to the prisoner in a text he understands.  
 Article 42: Use of weapons on prisoners, especially during escape, shall be preceded by warnings.  
 Ranks of Prisoners of War  
 Article 43: The Parties in conflict shall exchange order of ranks at the onset of war.  
 Article 44: Officers are to be treated according to rank.  
 Article 45: Prisoners other than officers are to be treated according to rank.  
 Transfer of POW's After Arrival in Camp  
 Article 46: Transfer of prisoners shall be under conditions equal to that of the Detaining Power, and shall not make more difficult future repatriation.  
 Article 47: Sick prisoners shall not be moved if it jeopardizes health.  
 Article 48: Prisoners are to be notified of transfer with enough time to pack and notify next of kin. They are to carry no more than 25 kg of personal items.  
 Labour of Prisoners of War  
 Article 49: Prisoners may be compelled to work so long as it is in their interest of health. Officers can only be assigned supervisory duties, but may request other labor.  
 Article 50: Prisoners may be compelled to perform a variety of work, but none for military purposes.  
 Article 51: Work conditions are to be similar to that of the nationals of the Detaining Power. Conditions are not to be made more arduous b/c of disciplinary reasons.  
 Article 52: No dangerous labor, the removal of mines, shall be forced upon the prisoner. No job deemed degrading for the Detaining Power's forces shall be relegated to the prisoner.  
 Article 53: The workday shall not be excessive. There must be a one hour break daily, 24 hours break weekly, and 8 day break yearly.  
 Article 54: Work pay shall be fixed in accordance with Article 62. Any injury/illness of the prisoner must be cared for by Detaining Power.  
 Article 55: Prisoners will be examined once a month to confirm their capacity to work.  
 Article 56: Labor detachments must have an assigned administrator ensuring the Convention.  
 Article 57: Prisoners working for private individuals shall enjoy the articles. Ensuring this is the responsibility of the Detaining Power.  
 Financial Resources of Prisoners of War  
 Article 58: The Detaining Power and Protecting Power shall determine at the onset of war the maximum currency a prisoner may have, any excess shall be put into an account.  
 Article 59: Individual accounts shall be made for prisoners' currencies.  
 Article 60: Prisoners shall be given month advance pay according to rank, varying from 8-75 Swiss francs or not lower than that received by members of the Detaining Power.  
 Article 61: The country prisoner's are loyal to can send money, so long as it is equal to all persons of equal rank. This is not a substitution for the pay of the Detaining Power.  
 Article 62: A fair day pay shall be determined, and not less than .25 Swiss franc.  
 Article 63: Prisoners may receive money addressed to them and may make payments. To make payment to country which they depend, the Detaining Power shall transfer the money through the Protecting Power.  
 Article 64: Detaining Power must supply prisoner with account detailing all money transactions.  
 Article 65: The prisoner shall sign/initial next to every transaction. Representatives from the Protecting Power have the right to see account documentation.  
 Article 66: The Detaining Power shall transfer the money through the Protecting Power to the country which the prisoner depends.  
 Article 67: Advance payments are on behalf of the Power that the prisoner depends.  
 Article 68: If any article or money is unaccounted for, the Detaining Power shall provide a statement and send it to the Central Prisoners of War Agency.  
 Relations of Prisoners of War with the Exterior  
 Article 69: Detaining Power shall tell prisoner and his country, via Protecting Power, how the provisions of this section will be carried out.  
 Article 70: Within one week of arrival at camp prisoner must be allowed to write one letter to his family and one to the CPWA.  
 Article 71: Prisoners must be allowed to send a minimum of two letters and four cards a month.  
 Article 72: Prisoners may be sent parcels contributing to their cultural activities.  
 Article 73: The rules of this section shall be followed unless other circumstances are agreed to by the Powers involved.  
 Article 74: All packages are exempt of import/duties.  
 Article 75: A neutral party must be allowed to deliver packages if the Detaining Power is unable to do so.  
 Article 76: Censorship of letters is to be performed once by Detaining Power and once by receiving State.  
 Article 77: Prisoners must be given supplies including wills and power of attorney letters, and must be offered legal services to tend to these.  
 Relations Between POW's and Authorities  
 Complaints of POW's Respecting Conditions  
 Article 78: Prisoners must allow to be allowed to contact the Protecting Power in complaint of treatment.  
 Prisoner of War Representatives  
 Article 79: Prisoners will elect a representative every six months, unless there is an officer present, under which he would be the representative to the Protecting Power.  
 Article 80: Prisoners' representatives shall operate in the interest of the prisoners, and shall not be held accountable for the actions of the prisoners.



Article 81: Representatives' quarters shall have a telegraph enabling communication with the detaining authorities, Protecting Power, and Red Cross.

#### Penal and Disciplinary Sanctions general provisions

Article 82: Prison must oblige to the laws of the detaining armed forces. An act not of punishment to a detaining force member can only be punishable by discipline.

Article 83: Discipline is always preferable to judicial action.

Article 84: The prisoner is to be tried in a military court and always under the conditions described in Article 105.

Article 85: Prisons convicted of violations of law prior to capture will not relinquish the protection of the Convention.

Article 86: No prisoner of war may be charged more than once for the same act.

Article 87: Punishment may never be harsher than that of written law of the Detaining Power. Torture may never commence, and military rank and badges never denied.

Article 88: Prisoners may not be treated more harshly than under the written law of Detaining Power, and may not be treated adversely upon their release.

#### disciplinary sanctions

Article 89: Acceptable punishments are fines, denial of privileges above the Convention, fatigue duties, confinement.

Article 90: Thirty days is the maximum duration of any penalty.

Article 91: A prison has escaped when he reaches the land or protection of the Power on which he depends, or an Ally. This escape cannot be held against him if recaptured.

Article 92: Captured escapees may be held under special surveillance, but must not be denied the protection of the Convention.

Article 93: Punishment to escapees or those who assisted shall be confined to disciplinary punishment only.

Article 94: The Power on which a prisoner depends will be notified if a prisoner is recaptured, if it had been notified of him escaping.

Article 95: Confinement pending hearing is strongly discouraged and must not exceed 14 days.

Article 96: Only courts or those with superior military authority may dispense disciplinary punishment. The prisoner must be offered a chance to defend himself. A record of the hearing must be kept and be available to the Protecting Power.

Article 97: Prisoners of war are not to be held in penitentiaries. Women undergoing disciplinary punishment must be under direct supervision of women.

Article 98: Prisoners under discipline must be given two hours a day to exercise and be in outside. They must be allowed to read and write.

#### judicial proceedings

Article 99: Prisoners will not be tried/sentenced for an act not forbidden by law of the Detaining Power or international law. Physical or emotional coercion will not be employed to illicit confessions. The accused has the right to present his defense with the assistance of qualified advocate or counsel.

Article 100: POW's and the Protecting Powers must be told of offences punishable by death. Any other death sentence must be agreed to by the Power of dependence.

Article 101: Execution after conviction shall not occur within 6 months nor before the Protecting Power receives detailed communication.

Article 102: Prisoner can only be convicted if tried by same courts that would try members of the Detaining Power.

Article 103: No prisoner shall be confined for more than three months while awaiting trial.

Article 104: Protecting Power must be notified of the details of the prisoner, location of detainment, accusations charged, and designation of the court at least three weeks prior to the trial.

Article 105: Prisoner has the right to counsel of his choice, or be assigned one if he makes no request. The accusations against him and the assignment of counsel must be declared two weeks prior to trial. Protecting Power may be present at trials, unless national security prevents its possibility.

Article 106: The prisoner has the right to appeal as the members of the Detaining Power would.

Article 107: Upon sentencing of death, the Protecting Power shall receive a detailed report and transcript of the trial, prior to execution.

Article 108: Upon sentencing the prisoner shall be subject to conditions no worse than those a member of the Detaining Power would be subject, and Article 87 shall not be breached.

#### TERMINATION OF CAPTIVITY

##### Direct Repatriation and Accommodation in Neutral Countries

Article 109: Seriously wounded prisoners are to be returned to the Power of dependence unless this is against their will.

Article 110: Prisoners to be repatriated have physical or mental fitness that has been gravely and permanently diminished or cannot recover within one year. Prisoners whose health is more likely to recover under a Neutral Power shall be sent thence. Those who do not recover should then be repatriated.

Article 111: The Detaining Power, Power on which the prisoners of war depend, and a neutral power must agree the exact nature of prisoners being transferred to neutral power.

Article 112: A Mixed Medical Commission must be created to determine prisoner health. The Detaining Power always can repatriate a prisoner it deems seriously ill.

Article 113: Prisoners may be recommended to the Mixed Medical Commission by medically trained personnel, the prisoner representative, or the Detaining Power. An individual may bring himself to the Commission as well.

Article 114: Accidents causing injury shall be considered, so long as they were not self-inflicting injuries.

Article 115: Repatriation takes precedent over any disciplinary punishment.

Article 116: Transit of prisoners to a neutral country shall be financed by the Power which the prisoners depend.

Article 117: No repatriated person may be employed on active military service.

#### Release and Repatriation at the Close of Hostilities

#### Article 4

A. Prisoners of war, in the sense of the present Convention, are persons belonging to one of the following categories, who have fallen into the power of the enemy:

1. Members of the armed forces of a Party to the conflict as well as members of militias or volunteer corps forming part of such armed forces.

2. Members of other militias and members of other volunteer corps, including those of organized resistance movements, belonging to a Party to the conflict and operating in or outside their own territory, even if this territory is occupied, provided that such militias or volunteer corps, including such organized resistance movements, fulfill the following conditions:

(a) That of being commanded by a person responsible for his subordinates;

(b) That of having a fixed distinctive sign recognizable at a distance;

(c) That of carrying arms openly;

(d) That of conducting their operations in accordance with the laws and customs of war.

3. Members of regular armed forces who profess allegiance to a government or an authority not recognized by the Detaining Power.

4. Persons who accompany the armed forces without actually being members thereof, such as civilian members of military aircraft crews, war correspondents, supply contractors, members of labour units or of services responsible for the welfare of the armed forces, provided that they have received authorization from the armed forces which they accompany, who shall provide them for that purpose with an identity card similar to the annexed model.

5. Members of crews, including masters, pilots and apprentices, of the merchant marine and the crews of civil aircraft of the Parties to the conflict, who do not benefit by more favourable treatment under any other provisions of international law.

6. Inhabitants of a non-occupied territory, who on the approach of the enemy spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units, provided they carry arms openly and respect the laws and customs of war.

B. The following shall likewise be treated as prisoners of war under the present Convention:

1. Persons belonging, or having belonged, to the armed forces of the occupied country, if the occupying Power considers it necessary by reason of such allegiance to intern them, even though it has originally liberated them while hostilities were going on outside the territory it occupies, in particular where such persons have made an unsuccessful attempt to rejoin the armed forces to which they belong and which are engaged in combat, or where they fail to comply with a summons made to them with a view to internment.

2. The persons belonging to one of the categories enumerated in the present Article, who have been received by neutral or non-belligerent Powers on their territory and whom these Powers are required to intern under international law, without prejudice to any more favourable treatment which these Powers may choose to give and with the exception of Articles 8, 10, 15, 30, fifth paragraph, 58-67, 92, 126 and, where diplomatic relations exist between the Parties to the conflict and the neutral or non-belligerent Power concerned, those Articles concerning the Protecting Power. Where such diplomatic relations exist, the Parties to a conflict on whom these persons depend shall be allowed to perform towards them the functions of a Protecting Power as provided in the present Convention, without prejudice to the functions which these Parties normally exercise in conformity with diplomatic and consular usage and treaties.

C. This Article shall in no way affect the status of medical personnel and chaplains as provided for in Article 33 of the present Convention.

#### Article 5

The present Convention shall apply to the persons referred to in Article 4 from the time they fall into the power of the enemy and until their release and repatriation.

Should any doubt arise as to whether persons, having committed a belligerent act and having fallen into the hands of the enemy, belong to any of the categories enumerated in Article 4, such persons shall enjoy the protection of the present Convention until such time as their status has been determined by a competent tribunal.

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